

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KING DRUG COMPANY OF FLORENCE, INC., <u>et al.</u> ,	:	CIVIL ACTION
	:	
Plaintiffs,	:	
v.	:	No. 2:06-cv-1797
	:	
CEPHALON, INC., <u>et al.</u> ,	:	
	:	
Defendants.	:	
<hr/>		
VISTA HEALTHPLAN, INC., <u>et al.</u> ,	:	CIVIL ACTION
	:	
Plaintiffs,	:	
v.	:	No. 2:06-cv-1833
	:	
CEPHALON, INC., <u>et al.</u> ,	:	
	:	
Defendants.	:	
<hr/>		
APOTEX, INC.,	:	CIVIL ACTION
	:	
Plaintiff,	:	
v.	:	No. 2:06-cv-2768
	:	
CEPHALON, INC., <u>et al.</u> ,	:	
	:	
Defendants.	:	
<hr/>		
FEDERAL TRADE COMMISSION,	:	CIVIL ACTION
	:	
Plaintiff,	:	
v.	:	No. 2:08-cv-2141
	:	
CEPHALON, INC., <u>et al.</u> ,	:	
	:	
Defendants.	:	

**NOTICE OF FILING UNDER SEAL BY DEFENDANT CEPHALON, INC.**

In accordance with the Stipulated Protective Order entered by the Court in the above-captioned litigation on September 11, 2009 and amended on November 9, 2009, Defendant Cephalon, Inc. hereby serves notice of filing under seal of the following:

1. Defendant Cephalon, Inc.'s Reply Memorandum In Support Of Its Motion For Partial Summary Judgment Against Plaintiffs' Claims Of An Overall Conspiracy Among All Defendants (Civil Action No. 06-1797, Civil Action No. 06-1833, and Civil Action No. 06-2768).

2. Defendants' Response To Apotex, Inc.'s Counterstatement of Material Facts In Opposition To Defendants' Motions For Partial Summary Judgment Against Plaintiffs' Claims Of An Overall Conspiracy Among All Defendants (Civil Action No. 06-1797, Civil Action No. 06-1833, and Civil Action No. 06-2768).

3. Defendant Cephalon, Inc.'s Reply In Support Of Its Statement Of Undisputed Facts In Support Of Its Motion For Partial Summary Judgment Against Plaintiffs' Claims Of An Overall Conspiracy Among All Defendants (Civil Action No. 06-1797, Civil Action No. 06-1833, and Civil Action No. 06-2768).

4. Defendant Cephalon, Inc.'s Reply In Support Of Its Statement Of Undisputed Facts In Support Of Its Motion To Dismiss For Lack Of Subject Matter Jurisdiction (Civil Action No. 08-2141).

5. Defendant Cephalon, Inc.'s Response To Plaintiff Federal Trade Commission's Counterstatement Of Facts In Opposition To Cephalon's Motion To Dismiss For Lack Of Subject Matter Jurisdiction (Civil Action No. 08-2141).

6. Declaration of Mark Ford and Exhibits in Support of Defendants' Response To Apotex, Inc.'s Counterstatement of Material Facts In Opposition To Defendants' Motions For

Partial Summary Judgment Against Plaintiffs' Claims Of An Overall Conspiracy Among All Defendants (Civil Action No. 06-1797, Civil Action No. 06-1833, and Civil Action No. 06-2768).

Copies of the above items are being served today upon liaison counsel for all parties via electronic mail.

Dated: December 20, 2013

Respectfully submitted,

/s/ James C. Burling  
James C. Burling  
Peter A. Spaeth  
Mark A. Ford  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
(617) 526-6000  
(617) 526-5000

John A. Guernsey  
Nancy J. Gellman  
CONRAD O'BRIEN PC  
1500 Market Street  
Centre Square, West Tower, Suite 3900  
Philadelphia, PA 19102  
(215) 864-9600  
(215) 864-9620

*Attorneys for Defendant Cephalon, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the date set forth below, the foregoing Notice of Filing Under Seal of Defendant Cephalon, Inc. was electronically filed pursuant to the Court's CM/ECF system, and the document is available for downloading and viewing from the CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the CM/ECF system.

/s/ Nancy J. Gellman  
Nancy J. Gellman

Dated: December 20, 2013